

Introduced by Senator Speier

February 22, 2005

An act to add Section 110827 to the Health and Safety Code, relating to organic products.

LEGISLATIVE COUNSEL'S DIGEST

SB 730, as introduced, Speier. Organic products: aquaculture products.

The California Organic Products Act of 2003 regulates the production of products sold, labeled, or represented as organic. Existing law requires producers, handlers, and processors of organic products to pay a registration fee to the State Department of Health Services based on gross sales of product sold as organic in the calendar year that precedes the date of registration.

This bill would prohibit aquaculture products sold, labeled, or represented as organic from containing chemicals known to the state to cause cancer or reproductive toxicity. Because a violation of this prohibition would be a crime under existing provisions of law, this bill would impose a state-mandated local program by changing the definition of a crime.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 110827 is added to the Health and
2 Safety Code, to read:
3 110827. Aquaculture products sold, labeled, or represented as
4 organic shall not contain chemicals known to the state to cause
5 cancer or reproductive toxicity. For purposes of this section,
6 aquaculture products include wild-caught and farm-raised fish
7 and shellfish and processed fish and shellfish products.
8 SEC. 2. No reimbursement is required by this act pursuant to
9 Section 6 of Article XIII B of the California Constitution because
10 the only costs that may be incurred by a local agency or school
11 district will be incurred because this act creates a new crime or
12 infraction, eliminates a crime or infraction, or changes the
13 penalty for a crime or infraction, within the meaning of Section
14 17556 of the Government Code, or changes the definition of a
15 crime within the meaning of Section 6 of Article XIII B of the
16 California Constitution.